



BoC Bylaw Revision Proposed

Editor's Note: This is an annotated copy of the BoC Bylaw Revision prepared by the current BoC chairman Andrew Price. Additions are underlined. Deletions are struck out. Annotations are in italics. *The California Tech* is obligated to print notices on behalf of ASCIT; the annotated diff was created at the request of the editors. On November 4th, there will be a vote on the proposed change. Polls will be open from 10:00 AM to 11:59 PM.

ARTICLE XIII--THE BOARD OF CONTROL

SECTION 1. PURPOSES AND DUTIES. The Board of Control shall review all cases of alleged violations of the Honor System and shall make recommendations to the Dean of Students for action in those cases in which a violation is found to have been committed. ~~All defendants will be asked if they wish the Associate/Assistant Dean of Students to participate in the Dean's review of the Board's recommendations. Violations of the Honor System may be brought to the attention of the Board by any member of the Caltech Community. (The last two sentences were moved to more appropriate sections of the bylaws.)~~

SECTION 2. MEMBERSHIP. The activities of the Board of Control will be reviewed and be led by the Chair of the Board of Control. In addition to the Board of Control Chair, the Board will consist of the following members: the Secretary of the Board of Control, ~~three two~~ members appointed by the Board of Control, ~~two one~~ members for each of the undergraduate houses, elected by the members of that House, and one elected by students living outside of the Houses.

- (a) The representatives from the Houses shall be elected each year ~~in accordance with the election procedures determined by the House.~~ A candidate may declare his candidacy in any House, but all students shall vote in the House with which they are affiliated at the time of the election. Students not affiliated with any House may register to vote in the House of their choice. Students not registered nor affiliated with a House at the time of the election may not vote. All representatives must be elected before the eighth week of second term.
- (b) A candidate may declare his candidacy in any House, but all students shall vote in the House with which they are affiliated at the time of the election. Students affiliated with more than one House may only vote in one House.
- (c) The Board of Control shall appoint ~~three two~~ members from the undergraduate student body at large for a term of office not to exceed one year. ~~All applicants must be interviewed by the Board of Control.~~
- (d) ~~Students living outside the houses and associated off-campus alleys shall be eligible to elect one who have not already voted for BoC representative may vote in an annual election organized according to procedures determined Article VII by the electors. Ballot box(es) shall be set out in place(s) including but not limited to Avery House at the time of this election. Eligible students who choose to vote in the election for off-campus Board of Control Representative may not vote for Board of Control Representatives in one of the houses.~~
- (e) Only registered undergraduates may serve on a case of the Board of Control.
- (f) In the event that a Board of Control member fails to register or takes a leave of absence at any time during his term of office, said member shall retire from that office immediately.
- (g) In the event that a Board of Control representative from the Houses retires before his term of office expires, the House shall elect a replacement for the remainder of the term of office ~~in accordance with the election procedures determined by the House.~~ *(In the new bylaws, House representatives must be elected by members of the House. [e.g., they cannot be appointed])*
- (h) These representatives at large shall be chosen after ~~ASCIT elections but before the swearing in of the new officers~~ BoC representative elections. They shall assume office at the time the Board of Control Chair is installed.
- (i) In the event that a Board of Control representative at large retires before his term of office expires, the Board of Control shall appoint a replacement from the undergraduate student body at large for the remainder of the term of office.
- (j) All BoC representatives must attend a formal training before they may serve on a case. Training shall be conducted by the Chairman and Secretaries with assistance from the Dean of Students and former Board representatives. Training must be completed before the beginning of third term. The training shall be open to any member of the Caltech community at the discretion of the Chairman and the Dean.

SECTION 3. RULES OF PROCEDURE.

- (a) When a suspected violation of the Honor System is reported to the Board, the Chairman or Secretary, and one other Board member will conduct a preliminary investigation to examine all relevant facts. They may require any persons involved to discuss their knowledge of any information concerning the case. The Chairman and Secretary will determine whether or not the case will be brought to a hearing of the full Board.
- (b) During the preliminary investigation, all potential defendants will be informed of any current or former Board members or House presidents who may hear the case.
- (c) When a case is brought to a hearing of the full Board, the Board will make three decisions:
 1. Whether or not an Honor System violation has been committed.
 2. How to nullify the advantage that has been taken.
 3. How to protect the Caltech Community.
- (d) All persons appearing before the Board at a hearing or a preliminary investigation will be informed of the reasons for their presence. *(All potential defendants will be informed of all potential violations cited in the initial report.)*
- (e) Persons who feel that they have been unfairly treated by any members of the Board or that their personal rights have been violated may make appeals to the Dean of Students.
- (f) The preliminary investigators shall not have a vote on the Board.
- (g) No Board representative shall conduct any investigation outside a hearing except at the instruction of the Chairman.
- (h) Seven (7) voting members of the Board shall constitute a quorum.
- (i) In case of absence or disability of the Chairman, the Board shall select a temporary chairman from among their number who, while acting as Chairman, shall not have a vote. In the case of absence of the Secretary, the Chairman shall appoint a temporary Secretary, who shall not have a vote, from among those who are present or past Board members (see subsection (j)).

- (j) If a Board member feels unable to render an unbiased judgment in a particular case, that member should disqualify himself. Furthermore, no member of the Board shall sit in judgment of his own case.
- (k) If a defendant feels that particular Board members are unable to render an unbiased judgment, a request may be made to the Chairman or the Dean before the start of the full Board hearing that those members not sit on the case.
- (l) If made necessary by subsections (g),(h), or (i) in order to maintain a full quorum of the Board, the Board shall reserve the right to ask any past members of the Board of Control to serve on a case, contingent on a three-fourths (3/4) vote of the remaining voting Board members. In the case that full quorum is not met using all eligible current and past members, the Board reserves the right to ask the House Presidents to serve on the case. Each House President must be approved by a three-fourths (3/4) vote of the remaining Board members. All those serving on a case are bound to secrecy as stated in subsection (s). House Presidents who have served on a case are not considered former members of the Board of Control. Accordingly, past House Presidents (unless current or former Board members) may not serve on a case.
- (m) Any person asked to attend a preliminary investigation may be accompanied by any current or former Board member of his choice. *(Now called the "assistant representative.")*
- (n) A defendant attending a hearing of the full Board may be accompanied by any one member of the Caltech community of his own choosing *(Now called the 'silent witness,' and in the new bylaws the defendant may request additional silent witnesses at the discretion of the Chair and the Deans.)* and his assistant representative. Additional silent witnesses may be granted only at the discretion of the Chair and the Dean of Students. This person may accompany the defendant during waiting periods, and at any part of the hearing where the defendant is present. During the hearing, the defendant may request an aside with the assistant representative and may speak with him at any time for clarification or explanation. This person must not disrupt or interfere with the proceedings of the Board in any way, and shall be immediately removed at the Chair's discretion if such disruption occurs. This person will be bound by secrecy as set forth in subsection (s) for all witnesses.
- (o) A defendant attending a hearing of the full Board may ask the Chair at any time for permission to hold a short, private recess with a Board member of the defendant's choice. Any new information pertaining to the case revealed in this conference will be shared with the full Board. The member shall remain able to vote on the case.
- (p) Before the Board votes to convict, the defendant will be shown all physical evidence pertaining to his case and given a reasonable opportunity to respond.
- (q) Before a vote for conviction or dismissal, all aspects of the case must be thoroughly considered. A three-fourths (3/4) vote of voting members of the Board present shall be necessary for any decision of the Board except case dismissal or the tabling of a case, which shall both require a simple majority.
- (r) No decision of a previous Board shall be revoked, unless the Board is convinced that new evidence or changed conditions change the status of the original case, or upon recommendation of the Dean.
- (s) Any records of the proceedings of the Board are to be kept only by the Secretary. The official minutes of proceedings resulting in convictions shall be kept by the Secretary in a minute book of the Board of Control. ~~This book shall be kept under lock and key by the Dean of Students (This "minute book" thing is very outdated and not used. We have a BoC laptop now.)~~ The Chairman and the Secretary shall have the sole power to get the minute book from the Dean access the BoC records and shall do so only on official business of the Board. ~~All other records shall be destroyed by the Secretary.~~
- (t) The official minutes of proceedings resulting in convictions shall include the names of all persons concerned, the decisions reached by the Board with corresponding vote tallies, a description of any previous convictions, as well as the names of the members of the Board present.
- (u) The Board of Control has the right to collaborate with the Graduate Review Board, the Dean of Students, the Director of Residence Life, and the Conduct Review Committee.
- (v) In cases resulting in conviction, the Chair and Secretary must make clear to the defendant the Board's basis for its decisions, including but not limited to the main line of reasoning that led to conviction.
- (w) All those appearing before the Board, and the Board itself, are expected to maintain absolute secrecy regarding case meetings of the BOC. Divulgence of any of the proceedings shall be considered a violation of the Honor System. Should the defendant wish to discuss the issues involved in his case with others, after his case has been completed, he may do so at any time, provided no portion of the case that concerns other defendants is made public without the permission of those persons. However, once the defendant initiates discussion, witnesses in the case are no longer bound to secrecy. If, in a particular case, the Board shall deem it wise to make known the proceedings of the Board, the Chairman shall be empowered to, upon resolution of the Board, to convey such information without disclosing the names or identities of any persons involved.
- (x) When a case is reported to the Board by some member of the Community, the Board will inform this member that the case is being considered. If any grade changes or status changes are necessary, the appropriate faculty member or administrator will be notified of the need for such changes at the close of the case.
- (y) When a case involves both a undergraduate and graduate defendant, the Chairman and Secretary may conduct the preliminary investigation with the Chairman and Secretary of the Graduate Review Board. The Chairman and Secretary of the Graduate Review Board may also sit in on the Board hearing for the case and shall not have a vote. The Graduate Review Board shall have access to the records for this case.
- (z) The Dean of Students will review all cases resulting in conviction conducted by the Board of Control. The Dean reserves the right to call for a reinvestigation of any case resulting in conviction upon suspicion of bias, incomplete information, or if additional relevant evidence becomes available. Cases resulting in leave shall receive a procedural review through the Vice President for Student Affairs. (This is already the case... I do not know why it is not already in the bylaws.)
- (aa) OATH. The oath taken by all persons appearing before the Board of Control shall be: "I do solemnly swear (or affirm) to tell the truth, the whole truth, and nothing but the truth."

The Rights of Government

By Tristan Brown

UNDERGRADUATE

Allow me to start out by asking a simple question: What gives government the right of power over the governed?

The answer suggested by John Locke is that there exists a social contract between the government and the people, whereby rulers may only hold power through the consent of the governed. He felt that the only way this could be true is if the government worked towards the common good, protecting every individual's rights to life, liberty, and property.

The United States Constitution was framed around this principle, implementing a representative democracy. Is a simple majority vote enough to give someone the right to commit every person under their rule to any number of arbitrary obligations?

I say no.

The purpose of government is to protect the people from deprivation of their rights by others. That is its sole purpose.

It does not exist to take money or to provide services. There is no legitimate justification for letting Paul rob Peter because it benefits

him. A majority vote cannot legitimize that.

If Robin Hood were a real figure in the modern world, would we applaud him? No, he's not stealing from Kings and Noblemen who have illegitimately enslaved the populace; He's stealing from you and me.

What does government have a right to do? By which law can government legitimately force me to abide? If I try to force anyone else into anything at gunpoint, government would intervene. Any breach of contract can be legitimately dealt with by government. I am not allowed to deprive anyone else of their rights against their will.

The rights that should be guaranteed to everyone are the right to life, liberty, and pursuit of happiness. But those are some very general words, which have been manipulated through the centuries to mean everything from a right to a proper slavemaster to a right to free money with every car purchase. Specifically, what those words mean:

- I have a right to life which no other human being has a right to take away.

- I have a right to make any contract I deem fit with any other human being.

- I have a right to use my own life and my own possessions for any means that do not infringe on the rights of others.

- I have a right to forfeit any one of my rights for any purpose and on any terms.

The government is within its rights to do anything necessary to protect our rights. Thus, it may maintain a military and police force. It may support a judicial

in specific cases. It may even support an executive branch to provide checks and balances and act as the commander in chief. It may collect taxes sufficient to ensure efficient operation of these functions. However, no part of this government may produce or enforce any law which deprives any person of any right for any reason other than to protect the equal rights of all.

Where do the limits lay? What is the government not allowed to do under this system? The government, no matter how democratically elected, cannot force you to give up your money or private possessions to fund its pet projects. There can be no government-imposed health care insurance system. The government can't stop you from smoking, drinking, shooting heroine, eating fatty food, or doing anything else to yourself so long as you don't harm others. Government cannot wage war for any reason other than to directly protect the rights of its people.

The Iraq War should have been conducted and funded entirely by private militias and nation-building groups, something which is impossible under the current US system, but would be possible under a system where the right to bear arms is truly and completely respected.

One might ask: "So what about the poor? Do you just let them die?" My answer: private donations. Private donations, both for scholarly merit and as purely charitable financial aid, have paid for almost my entire education. The rest has been paid through loans which I will pay off eventually. I have not inherited a cent. This is how donations should occur, not at the point of a gun.

The goal of government is not to make everyone wealthy. It's not even to keep every single citizen alive and healthy. The goal of government is to give people freedom from the oppression of others. It's to maintain law and order so that no man may force another into a contract against his will. It is a contract with every other citizen guaranteeing that there is always a neutral higher power which seeks only to protect the rights of everyone equally, without favoring any man.

"There is no legitimate justification for letting Paul rob Peter because it benefits him. A majority vote cannot legitimize that."

system to find ways to correct situations which ignore the equal rights of all, and ensures that offenses are not repeated. It may support a legislative system which defines laws to clarify rights

The California Tech

Caltech 40-58, Pasadena, CA 91125
advertising e-mail: business@caltech.edu
editorial e-mail: tech@caltech.edu

Editor-in-Chief
Chris Kennelly

Layout Editor
Hanna Liu

Staff
Dannah Almasco
ZeNan Chang
Tina Ding
Daniel Erenrich
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IHC MEETING - MINUTES OCTOBER 29, 2009

Weekly Meeting - Fleming

Present: Pallavi, Tim, David, Robbie, Paul, Sly, Daryl
Absent: Max, Rosa, Benji
Guests: Daniel Thai, Daniel Kolodrubetz, Christopher Hallacy

There were a number of policy violations during rotation this year. Administrators noticed and called for a committee to

review rotation. The committee is composed of both faculty and students. The committee is charged with making recommendations on how to make rotation more inviting for freshmen and how to avoid policy violations, and it will also look at other methods of placing freshmen besides rotation.

Houses should give the names of their senior reps to Dano. They

should give their house lists to Tom Mannion so that he can take care of dues.

Some members of the IHC and ASCIT met with Susan M. from the Alumni Association. They're encouraging houses to hold alumni events. They won't help with planning, but they can provide some money and help contact alumni. You can get your event in the Alumni Weekend

schedule, but you have to tell them in advance.

Presidents should ask their houses what they want to do for PFW and the one day preview event. In the past, each house had a main event and a smaller event, and they've tried to make it so that no main event overlap, although this year might be different because of the different schedule.

ASCIT BOARD OF DIRECTORS MEETING MINUTES OCTOBER 26, 2009

Officers Present: Anthony Chong, Andrey Poletayev, Pallavi Gunalan, Nadia Iqbal Maral Mazrooei, Michael Maseda, Laura Conwill
Officers Absent: Maral Mazrooei
Guests: Chris Hallacy, Ruslan Kurdyumov, Brian Merlob

Call to order: 12:12 PM

Funding requests:

- **Veritas Forum:** Ruslan Kurdyumov is requesting \$350 for taping the Veritas Forum on November 18. Andrey could just lend

out the course capturing equipment, and will report back soon.

Officer Reports:

- **V.P. of Academic Affairs (ARC Chair):** Dealing with a large number of class complaints, but none for Chem3a! Maybe the frosh haven't learned how to complain yet. The ARC is also working on CLUE.
- **V.P. of Nonacademic Affairs (IHC Chair):** Prefrosh Weekend has a new form: Students arrive Thursday and leave

Saturday. There are optional events on Saturday. We will give a schedule from the houses of Saturday events; students will be able to stay with hosts till Sunday morning. Murals are being painted over in the South Houses; the mural policy will be enforced more in the future. Rotation went poorly this year in terms of behavior. The administration, with the help of the IHC, is putting together a committee to investigate rotation. This committee is extremely important; members will be announced soon.

- **Operations Director:** A librarian requests that synopses be added to all fiction books in the library. Michael will find someone to do this. Rob Hunter would like to put a Pasadena area dining map on the Donut website, and has been advised to contact the BoD before proceeding.
- **Social Director:** Nadia held a meeting at the end of last week for the concert production committee. Nadia needs a few more

people; Laura has additional names. Nadia plans to find Tom today to discuss security and advertising. The single member Soc Team is working on the fliers; we need a bigger Soc Team!

- **Secretary:** Finding frosh and sending them Nadia's way. Need to re-do flowchart.
- **Scheduling:** We are going to have a meeting with Susan Murakami at the Alumni House soon.
- **Treasurer (Hallacy):** Chris met with Maral to review treasurer receipts.

Other:

- **CLUE:** Brian has some CLUE documents and things from the archive he wants to upload on Donut. He will run them through Laura.
- **UG-list emails:** Just don't send too many out. Put announcements in the digest! Anthony threatens a revocation of privileges.

Meeting adjourned: 12:40 PM

Submitted by Laura Conwill
ASCIT Secretary

The California Tech is obligated, under the ASCIT Bylaws, to publish the minutes of the Board of Directors. The BoD minutes are published as-received (including any errors) and without further abridgment. For unabridged versions of the minutes, consult Laura Conwill, ASCIT Secretary.

The Editors include minutes from IHC meetings, excerpts from the ARC's meetings, and other announcements voluntarily as a service to the community.

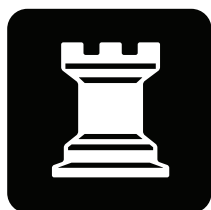


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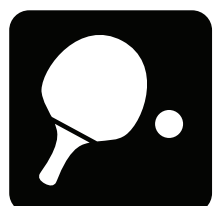
CHALLENGE

SATURDAY, NOVEMBER 7TH

PLEASE RSVP BY NOVEMBER 5th AT
WWW.REGISTERCHALLENGE.COM



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\$25,000 IN CASH PRIZES

ALL JUNIORS, SENIORS, AND GRAD STUDENTS WELCOME

11:00 AM – 5:00 PM, LUNCH AND TRANSPORTATION PROVIDED

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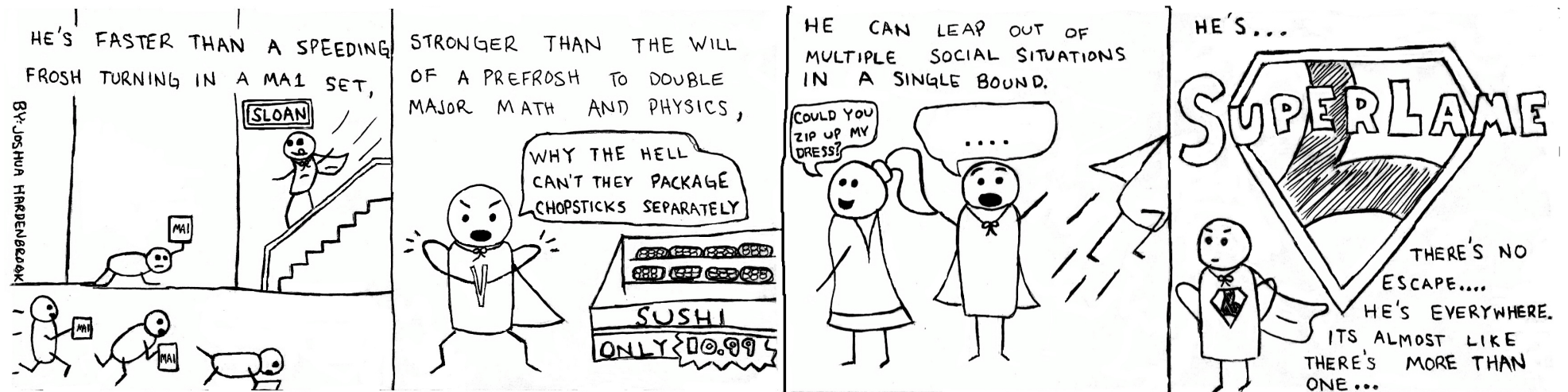
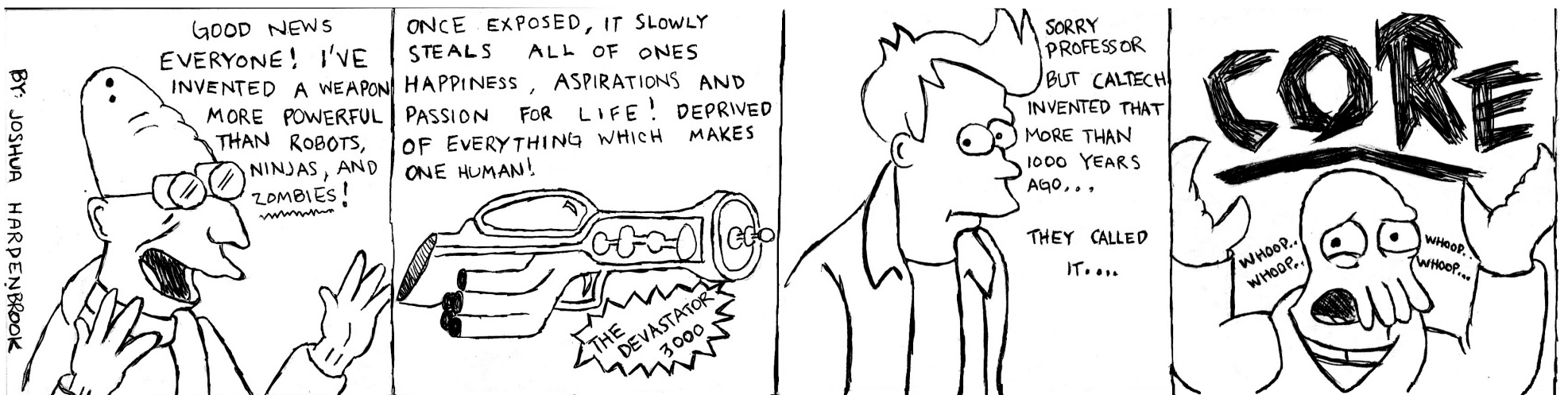
We employ super-intelligent professionals dedicated to teamwork and the open exchange of ideas. Our Caltech and Harvey Mudd alumni look forward to meeting you and sharing their experiences.

APPLES AND ORANGES

BY REBECCA LAWLER



Caltech: Abandon All Hope, a comic by Joshua Hardenbrook



Crippling Depression by Tim Wan, Mike Yeh, and Ben Lee



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